



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,067	10/16/2003	Robert Alan Charnock	25-12602/YOD FMCT:0002	8903
23720	7590	06/06/2006	EXAMINER	
WILLIAMS, MORGAN & AMERSON 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			SWINEHART, EDWIN L	
			ART UNIT	PAPER NUMBER
			3617	

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/687,067	CHARNOCK ET AL.	
	Examiner	Art Unit	
	Ed Swinehart	3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,6-8,11,13-15,17,19,22,24-30 and 32-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22,24-30 and 32-37 is/are allowed.
- 6) ☒ Claim(s) 1,2,6-8,11,13-15,17 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,6,11 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Finn et al.

Finn discloses the claimed invention, including a keel guide having a keel joint disposed therewith, and itself positioned within a bushing **100**. Wear insert(s) **94** are provided as claimed for bearing against the joint, and form an external sleeve thereabout. Since the bushing is coupled to the riser in slidable fashion, such is “releasably coupled” as claimed. Since the wear inserts must inherently be assembled in concert with the bushing assembly, they may be considered part of the bushing assembly. Alternatively, note the rejection under 35 USC 103 which is set forth below.

Re claim 6, “clamp” fails to define any specific structure and/or arrangement so as to define over the two piece bolt-together bushing assembly of Finn.

Re "by relative vertical motion" fails to define over Finn, as since such parts slide in relation to each other, they are "decoupled" for longitudinal movement, yet coupled for lateral movement. Also "by" is essentially a method step, carrying little weight in this apparatus claim.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finn et al.

Assuming arguendo that the wear inserts of Finn are not part of the bushing assembly, it would have been obvious to one of ordinary skill in the art at the time of the invention to mount the inserts of Finn in a reverse manner, such that they are physically attached to the bushing as opposed to the joint. Since the inserts are for checking wear between joint and bushing, its purely a matter of design choice as to which of the two elements the inserts are attached.

5. Claims 2,8, are rejected under 35 U.S.C. 103(a) as being unpatentable over Finn et al. in view of Munk et al. '182.

Finn fails to disclose a landing feature as claimed.

Munk et al. '182 discloses the field of the invention, including a landing feature between bushing and guide.

Re claim 8, "bowl" fails to define any specific structure and/or arrangement so as to define over the shape of the landing of Finn as modified.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Finn et al. in view of Munk et al. '182 as applied to claim 2 above, and further in view of Davies et al.

Finn fails to provide locking means as claimed.

Davies provides latches **34** to lock the bushing within the guide.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide locks to Finn as taught by Davies.

Such a combination would have been desirable at the time of the invention so as to provide for prevention of undesired movement.

7. Claims 14,15 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davies et al. in view of Grable et al.

Davies teaches the claimed invention, with exception of locks/latches positioned upon the outer guide as being associated with the "landing feature". A shoulder is formed at the top, and not interior as claimed. The latches of Davies are carried on the bushing.

Grable teaches a landing feature carrying the locking latches/pins **59a** thereon, as well as a shoulder **32** formed on an interior. Such is considered to have been equivalent to provision of latches upon the insertable element.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide latches on the outer landing portion of Davies as taught by Grable.

Such a combination would have been desirable at the time of the invention so as to provide ease of operation.

Re claim 19, a pair of shoulders fails to define any specific structure and/or arrangement so as to define over Davies, as a shoulder is provided on each of the bushing and guide, and it is the combination of the two shoulders which forms the landing feature.

8. Claims 22,24-30,32-37 are allowed.

9. Applicant's arguments filed 3/13/2006 have been fully considered but they are not persuasive.

Applicant argues that Finn et al. fails to show a decoupling "by" relative vertical motion. Such has been addressed within the body of the rejection.

Applicant argues lack of motivation for combining Davies and Grable.

Substitution of equivalents requires no motivation per se, other than the routineer prefers a bolt to a screw for example. Substitution of equivalents is not invention.

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

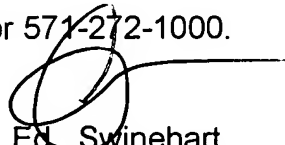
Art Unit: 3617

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ed Swinehart whose telephone number is 571-272-6688. The examiner can normally be reached on Monday through Thursday 6:30 am to 2:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel Morano can be reached on 571-272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ed Swinehart
Primary Examiner
Art Unit 3617